



CERTIFICATE OF MAILING

I hereby certify that the foregoing document and fees were mailed by first class mail, postage prepaid, in an envelope addressed to the Hon. Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, this 22nd day of September, 2004.



Thomas A. O'Rourke



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): James A. Sebastian  
Chappaqua, New York

Michael McGinn  
Brooklyn, New York

SERIAL NO.: 10/645,342

FILED: 08/21/2003

TITLE: Improved Compact Disc Case

Mail Stop Missing Parts  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO FILE MISSING  
PARTS OF NONPROVISIONAL APPLICATION

In response to the "Notice to File Missing Parts of Nonprovisional Application" mailed September 17, 2003, applicant hereby submits the following:

1. Check for \$450.00, representing the Filing Fee;
2. Declaration and Power of Attorney of James A. Sebastian and Michael McGinn;
3. Four (4) sheets of corrected drawings;
4. Copy of the Notice to File Missing Parts.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Thomas A. O'Rourke".

Thomas A. O'Rourke  
Reg. No.: 27,665  
BODNER & O'ROURKE, L.L.P.  
425 Broadhollow Road  
Melville, NY 11747  
(631)249-7500



SEP 24 2004

## UNITED STATES PATENT AND TRADEMARK OFFICE

TRADEMARK

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/645,342         | 08/21/2003             | James A. Sebastian    |                        |

Thomas A. O'Rourke  
 Bodner & O'Rourke, LLP  
 425 Broadhollow Road  
 Melville, NY 11747

CONFIRMATION NO. 6734

## FORMALITIES LETTER



\*OC000000010893931\*

Date Mailed: 09/17/2003

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

09/24/2004 YPOLITE1 00000038 10645342

FILED UNDER 37 CFR 1.53(b)

02 FC:2001                    385.00 OP  
 03 FC:2051                    65.00 OP

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 375 to complete the basic filing fee for a small entity.*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch). See Figure(s) 4.
  - The drawings must be reasonably free from erasures and must be free from alterations, overwriting, interlineations, folds, and copy marks. See Figure(s) 4.
  - The drawings have a line quality that is too light to be reproduced (weight of all lines

and letters must be heavy enough to permit adequate reproduction) or text that is illegible (reference characters, sheet numbers, and view numbers must be plain and legible) see 37 CFR 1.84(l) and (p)(1)); See Figure(s) 4, 5.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$440** for a Small Entity

- **\$375** Statutory basic filing fee.
- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

---

*A copy of this notice **MUST** be returned with the reply.*

P Phuong  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202  
PART I - ATTORNEY/APPLICANT COPY